

11/7/02  
PH  
#3

PATENTS  
CF/007R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REISSUE APPLICATION

Patentees/  
Reissue Applicants : Stuart A. Fraser et al.

Application No. : 09/859,661 Conf. No. 3933

Filed : May 17, 2001

Received

For Reissue of  
Patent No. : 5,905,974

FEB 22 2002

Technology Center 2100

Issued : May 18, 1999

For : AUTOMATED AUCTION PROTOCOL  
PROCESSOR

New York, New York 10020  
February 21, 2002

Hon. Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
JUL 28 2002

NOTICE OF PRIOR OR CONCURRENT PROCEEDINGS  
UNDER 37 C.F.R. § 1.178(b)

GROUP 3600

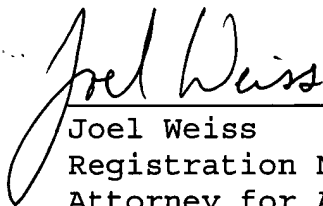
Sir:

Pursuant to 37 C.F.R. § 1.178(b), applicants hereby call to the attention of the Patent and Trademark Office the following prior proceeding in which the above-identified reissue application was involved:

Proceeding	Status
<u>Cantor Fitzgerald, L.P. v. Liberty Brokerage Investment Corp.</u> Civil Action No. 99-522 (D. Del.)	Dismissed with prejudice; Order of Dismissal ordered on July 18, 2000

Applicants received an Office Action mailed on November 14, 2001, staying the above-captioned reissue application in view of the aforementioned litigation. On or about November 26, 2001, the undersigned advised the Examiner by telephone that the aforementioned litigation had been dismissed as of July 18, 2000. Applicants also informed the Examiner that applicants would submit a Notice of Prior or Concurrent Proceedings stating that the litigation had been dismissed after applicants assembled the Information Disclosure Statement filed herewith.

Respectfully submitted,

A handwritten signature in cursive script, reading "Joel Weiss", is positioned above a horizontal line. The signature is written in dark ink and is slightly slanted to the right.

Joel Weiss  
Registration No. 44,398  
Attorney for Applicants  
FISH & NEAVE  
Customer No. 1473  
1251 Avenue of the Americas  
New York, N.Y. 10020-1105  
Tel.: (212) 596-9000